

REMARKS/ARGUMENTS

Favorable reconsideration of this application in view of the above amendments and following remarks is respectfully requested.

Claims 1-4, 6-18, 20-25 and 26-31 are pending in this application. By this amendment, Claims 1, 13 and 20 have been amended; Claims 5 and 19 have amended; Claims 5 and 19 have been canceled; and Claims 21-31 have been added. Amended Claim 1 corresponds to canceled dependent Claim 5 written in independent form; amended Claim 13 corresponds to canceled dependent Claim 19 written in independent form; and added Claim 21 corresponds to dependent Claim 6 written in independent form. Accordingly, it is respectfully submitted that no new matter has been added.

In the outstanding Office Action Claims 1-6, 8-16 and 19-20 were rejected under 35 U.S.C. §102(a) and (e) as being anticipated by Capek et al.(U.S. Patent 7,343,312 B2, hereinafter Capek); and Claims 7, 17 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Capek.

Claim 1 has been amended to include the subject matter of canceled Claim 5 and now recites “wherein the availability engine is further operable to: identify resources of the priority list that are unavailable to satisfy meeting constraints due to a schedule use; and monitor the unavailable resources for subsequent availability to satisfy the meeting constraints.” It is respectfully submitted that these recited features are neither disclosed by nor rendered obvious by Capek.

With regard to dependent Claim 5, now incorporated into Claim 1, the Office Action states that “Capek et al. teaches identifying resources of the priority list that are unavailable to satisfy meeting constraints due to a scheduled use; and monitoring the unavailable resources for subsequent availability to satisfy the meeting restraints (column 7, lines 40-49 – availability is monitored for optimization of the schedule).” Applicant respectfully disagrees.

Capek states in column 7, lines 40-49:

The constraints may include such parameters as meeting duration, earliest date, latest date, mandatory attendees, participant availability, preferred time, preferred location, the meeting must occur by a specified time, last for a determined duration, must occur before a specified event, there is a requirement to schedule a recurring meeting, or that the scheduling request is not negotiable.

Capek then goes on to describe scheduling meetings for exemplary individuals Joe Smith, Fred Barnes or Larry Jacobs. That is, the constraints described beginning in column 7, line 40 refer to the scheduling of attendees. There is no description in Capek of applying these constraints to heterogeneous resources as recited in amended Claim 1. Thus, there is no description in Capek of identifying resources of the priority list that are unavailable to satisfy meeting constraints due to a scheduled use or is there is a description in Capek to monitor the unavailable resources for subsequent availability to satisfy the meeting constraints.

Amended Claim 13 which incorporates the subject matter of canceled Claim 9 now recites “limiting access to predetermined heterogeneous resources according to one or more required authorizations.” It is respectfully submitted that Capek neither discloses nor renders obvious the features quoted above.

With regard to Claim 9 the Office Action states “Capek et al. teaches limiting access to predetermined heterogeneous resources according to one or more required authorizations (column 9, lines 60-67 – attendees having waiting factors indicating who is more important to the scheduling process []).” Applicant respectfully disagrees.

As recognized in the Office Action, Capek describes in column 9, lines 60-67 that in addition to the process attendees may have waiting factors so that the system can determine who is most important in the scheduling optimization process. That is Capek describes scheduling of attendees therein. There is no description in Capek of limiting access to

predetermined heterogeneous resources according to one or more required authorizations as now recited in independent Claim 13.

Independent Claim 21 corresponds to original Claim 1 and further including the incorporation of the subject matter of original Claim 6. Claim 21 now recites “an access controller interfaced with the availability engine and the resource properties database, the access controller operable to restrict scheduling of one or more resources having limited access properties.” It is respectfully submitted that the quoted features are neither disclosed by nor rendered obvious by Capek.

With regard to Claim 6, the Office Action states “Capek et al. teaches an access controller interfaces with the availability engine and the resource properties database, the access controller operable to restrict scheduling of one or more resources having limited access properties (column 4, lines 19-32 – resource availability).” Applicant respectfully disagrees.

Beginning in column 7, line 1 Capek describes Objective 1 involving maximizing the attendance of the people who are desirable or optional for the event and Objective 2 involving scheduling the event as close as possible to the target date. Capek then provides an equation described as providing a summation over  $d$  giving the exact day on which the meeting will occur wherein the variable  $Z_2$  gives the closest of the targeted date with the schedule meeting day. There is no description in Capek of an access controller interfaced with the availability engine and the resource properties database, the access controller operable to restrict scheduling of one or more resources having limited access properties as recited in Claim 21. That is, Capek is describing in column 7 the scheduling of attendees at meetings.

It is respectfully submitted that dependent Claims 2-4, 6-12, 13-18, 20 and 22-31 are patentable at least for the reasons argued above with regard to the claims from which they depend.

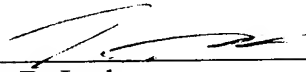
Accordingly, it is respectfully requested that the rejections of Claims 1-4, 6-18 and 20 be reconsidered and withdrawn, and that Claims 1-4, 6-18 and 20-31 be found allowable.

Consequently, for the reasons discussed in detail above no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. Therefore, a notice of allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below-listed telephone number.

Respectfully submitted,

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